

1 BILL NO. G-78-11-50

2 GENERAL ORDINANCE NO. G-30-78

3 AN ORDINANCE AMENDING GENERAL ORDINANCE
4 NO. G-26-78, SECTIONS 3 (b), 3 (c), 4 & 6.

5 WHEREAS, heretofore on September 26, 1978, the Common Council of
6 the City of Fort Wayne, Indiana, adopted above numbered Ordinance G-26-78, and

7 WHEREAS, this Ordinance concerning the issuance of Revenue Bonds
8 should be amended to provide for current bond rates;

9 NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE
10 CITY OF FORT WAYNE, INDIANA, THAT:

11 SECTION 1. That Section 3 (b) is hereby amended to be and read as
12 follows:

13 3 (b) Depreciation Account. Ten per cent (10%) of the gross
14 revenues of said waterworks shall be set aside into the Depreciation Account
15 and shall be expended in making good depreciation in the waterworks or in
16 new construction, extensions or additions to the property of the waterworks.
17 Any accumulations in said Depreciation Account not required for immediate use
18 may be invested in direct obligations of the United States Government to the
19 extent permitted by law, and if so invested the income from the investment
20 shall accrue to the Depreciation Account. The funds in said account shall not
21 be used for any purpose other than as herein provided.

22 SECTION 2. That the first sentence of Section 3 (c) is hereby
23 amended to be and read as follows:

24 3 (c) Bond and Interest Redemption Account. Twenty-nine per cent
25 (29%) of the gross revenues of the waterworks shall, as such revenues are
26 received, be set apart and paid into a special account to be identified as the
27 "Bond and Interest Redemption Account."

28 SECTION 3. That the second sentence of Section 4 is hereby amended
29 to be and read as follows:

30 Said bonds shall be in a principal amount not exceeding Eighteen
31 Million Dollars (\$18,000,000), in the denomination of Five Thousand Dollars
32 (\$5,000) each, numbered consecutively from 1 up, dated as of the first day of
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1 the month in which said bonds are sold, and shall bear interest
2 at a rate or rates not exceeding seven per cent (7%) per annum
3 (the exact rate or rates to be determined by bidding), and at a
4 net effective interest rate not exceeding six and three
5 quarters per cent (6-3/4%), which interest shall be payable
6 semi-annually on January 1 and July 1 of each year, beginning on
7 January 1, 1979, and shall be evidenced by coupons attached to
8 said bonds.
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10 SECTION 4. That the Bond Form in Section 6, Para-
11 graph 4 is hereby amended to be and read as follows:

12 The Principal of and interest on this bond and all
13 other bonds of said issue, certain Waterworks Revenue Bonds of
14 1967, now outstanding in the principal amount of Two Million
15 Seven Hundred Sixty-Five Thousand Dollars (\$2,765,000) issued
16 under date of November 1, 1967, pursuant to General Ordinance
17 No. G-95-67, as amended by General Ordinance No. G-104-67 and
18 G-110-67, bearing interest at the rate of five per cent (5%)
19 per annum, and maturing over a period ending on January 1, 2000,
20 certain Waterworks Revenue Bonds of 1968, (now outstanding in the
21 principal amount of Two Million Nine Hundred Sixty-Five Thousand
22 Dollars (\$2,965,000), issued under date of December 1, 1968,)
23 pursuant to General Ordinance No. G-29-68, bearing interest at
24 the rate of five and one-half per cent (5-1/2%) and five and forty
25 hundredths per cent (5.40%) per annum, depending on the maturities,
26 and maturing over a period ending on January 1, 2000, all ranking
27 on a parity herewith, and any bonds hereafter issued ranking on
28 a parity therewith, are equally and ratably secured by and con-
29 stitute a charge upon twenty-nine per cent (29%) of the gross
30 income and revenues of the municipally owned waterworks of the
31 City, as the same now exists or may hereafter be improved or extended
32 which percentage of such income and revenues is to be deposited
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1 in a special account designated as the "Bond and Interest
2 Redemption Account." The City shall not be obligated to pay
3 said bonds or the interest thereon except from said special
4 fund, and neither this bond nor the issue of which it is a part
5 shall in any respect constitute a corporate indebtedness of the
6 City within the provision and limitation of the constitution of
7 the State of Indiana.
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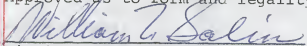
9 SECTION 5. That all other Sections of G-26-78 remain
10 in full force and effect as originally passed.

11 SECTION 6. That this Ordinance shall be effective
12 upon passage and approval by the Mayor.
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16 Councilman

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18 Approved as to form and legality:

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21 William N. Salin, City Attorney
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Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by Burns, seconded by J. Schmidt, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>0</u>	_____	<u>2</u>	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	<u>X</u>	_____
<u>HUNTER</u>	_____	_____	_____	<u>X</u>	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-14-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. D-30-78 on the 14th day of November, 1978.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1978, at the hour of 9:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 15th day of November, 1978, at the hour of 9:30 o'clock _____ M., E.S.T.

Robert Elumetong
MAYOR

1 BILL NO. G-78-11-50

2 GENERAL ORDINANCE NO. G-

30-78

3 AN ORDINANCE AMENDING GENERAL ORDINANCE
4 NO. G-26-78, SECTIONS 3 (b), 3 (c), 4 & 6.

5 WHEREAS, heretofore on September 26, 1978, the Common Council of
6 the City of Fort Wayne, Indiana, adopted above numbered Ordinance G-26-78, and

7 WHEREAS, this Ordinance concerning the issuance of Revenue Bonds
8 should be amended to provide for current bond rates;

9 NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE
10 CITY OF FORT WAYNE, INDIANA, THAT:

11 SECTION 1. That Section 3 (b) is hereby amended to be and read as
12 follows:

13 3 (b) Depreciation Account. Ten per cent (10%) of the gross
14 revenues of said waterworks shall be set aside into the Depreciation Account
15 and shall be expended in making good depreciation in the waterworks or in
16 new construction, extensions or additions to the property of the waterworks.
17 Any accumulations in said Depreciation Account not required for immediate use
18 may be invested in direct obligations of the United States Government to the
19 extent permitted by law, and if so invested the income from the investment
20 shall accrue to the Depreciation Account. The funds in said account shall not
21 be used for any purpose other than as herein provided.

22 SECTION 2. That the first sentence of Section 3 (c) is hereby
23 amended to be and read as follows:

24 3 (c) Bond and Interest Redemption Account. Twenty-nine per cent
25 (29%) of the gross revenues of the waterworks shall, as such revenues are
26 received, be set apart and paid into a special account to be identified as the
27 "Bond and Interest Redemption Account."

28 SECTION 3. That the second sentence of Section 4 is hereby amended
29 to be and read as follows:

30 Said bonds shall be in a principal amount not exceeding Eighteen
31 Million Dollars (\$18,000,000), in the denomination of Five Thousand Dollars
32 (\$5,000) each, numbered consecutively from 1 up, dated as of the first day of

1 the month in which said bonds are sold, and shall bear interest at a rate or
2 rates not exceeding seven per cent (7%) per annum (the exact rate or rates to
3 be determined by bidding), and at a net effective interest rate not exceeding
4 six and three quarters per cent (6-3/4%), which interest shall be payable
5 semi-annually on January 1 and July 1 of each year, beginning on January 1,
6 1979, and shall be evidenced by coupons attached to said bonds.

7 SECTION 4. That the Bond Form in Section 6, Paragraph 4 is hereby
8 amended to be and read as follows:

9 The Principal of and interest on this bond and all other bonds of
10 said issue, certain Waterworks Revenue Bonds of 1967, now outstanding in the
11 principal amount of Two Million Eight Hundred Forty-Five Thousand Dollars
12 (\$2,845,000) issued under date of November 1, 1967, pursuant to General
13 Ordinance No. G-95-67, as amended by General Ordinances No. G-104-67 and
14 G-110-67, bearing interest at the rate of five per cent (5%) per annum, and
15 maturing over a period ending on January 1, 2000, certain Waterworks Revenue
16 Bonds of 1968, now outstanding in the principal amount of Three Million
17 Forty-Five Thousand Dollars (\$3,045,000), issued under date of December 1,
18 1968, pursuant to General Ordinance No. G-29-68, bearing interest at the rate
19 of five and one-half per cent (5-1/2%) and five and forty hundredths per cent
20 (5.40%) per annum, depending on the maturities, and maturing over a period
21 ending on January 1, 2000, all ranking on a parity herewith, and any bonds
22 hereafter issued ranking on a parity therewith, are equally and ratably secured
23 by and constitute a charge upon twenty-nine per cent (29%) of the gross
24 income and revenues of the municipally owned waterworks of the City, as the
25 same now exists or may hereafter be improved or extended, which percentage
26 of such income and revenues is to be deposited in a special account designated
27 as the "Bond and Interest Redemption Account." The City shall not be
28 obligated to pay said bonds or the interest thereon except from said special
29 fund, and neither this bond nor the issue of which it is a part shall in any
30 respect constitute a corporate indebtedness of the City within the provision
31 and limitation of the constitution of the State of Indiana.

SUSPENSION OF RULES

BILL NO. Y-78-11-50

Councilman Burns, moved to suspend the rules on passage of BILL NO. Y-78-11-50, at this meeting of November 14, 1978, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and General ORDINANCE was accordingly placed on its passage.

DATE: 11-14-78

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
	<u>7</u>	<u>0</u>	<u> </u>	<u>2</u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HINGA</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>HUNTER</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>MOSES</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>NUCKOLS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>D. SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>V. SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as General Ordinance No Y-30-78

ATTEST:

(SEAL)

DATE: 11-14-78

Charles W. Westerman
CITY CLERK

1 BILL NO. G-78-11-50

2 GENERAL ORDINANCE NO. G-

30-78

3 AN ORDINANCE AMENDING GENERAL ORDINANCE
4 NO. G-26-78, SECTIONS 3 (b), 3 (c), 4 & 6.

5 WHEREAS, heretofore on September 26, 1978, the Common Council of
6 the City of Fort Wayne, Indiana, adopted above numbered Ordinance G-26-78, and

7 WHEREAS, this Ordinance concerning the issuance of Revenue Bonds
8 should be amended to provide for current bond rates;

9 NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE
10 CITY OF FORT WAYNE, INDIANA, THAT:

11 SECTION 1. That Section 3 (b) is hereby amended to be and read as
12 follows:

13 3 (b) Depreciation Account. Ten per cent (10%) of the gross
14 revenues of said waterworks shall be set aside into the Depreciation Account
15 and shall be expended in making good depreciation in the waterworks or in
16 new construction, extensions or additions to the property of the waterworks.
17 Any accumulations in said Depreciation Account not required for immediate use
18 may be invested in direct obligations of the United States Government to the
19 extent permitted by law, and if so invested the income from the investment
20 shall accrue to the Depreciation Account. The funds in said account shall not
21 be used for any purpose other than as herein provided.

22 SECTION 2. That the first sentence of Section 3 (c) is hereby
23 amended to be and read as follows:

24 3 (c) Bond and Interest Redemption Account. Twenty-nine per cent
25 (29%) of the gross revenues of the waterworks shall, as such revenues are
26 received, be set apart and paid into a special account to be identified as the
27 "Bond and Interest Redemption Account."

28 SECTION 3. That the second sentence of Section 4 is hereby amended
29 to be and read as follows:

30 Said bonds shall be in a principal amount not exceeding Eighteen
31 Million Dollars (\$18,000,000), in the denomination of Five Thousand Dollars
32 (\$5,000) each, numbered consecutively from 1 up, dated as of the first day of

1 the month in which said bonds are sold, and shall bear interest at a rate or
2 rates not exceeding seven per cent (7%) per annum (the exact rate or rates to
3 be determined by bidding), and at a net effective interest rate not exceeding
4 six and three quarters per cent (6-3/4%), which interest shall be payable
5 semi-annually on January 1 and July 1 of each year, beginning on January 1,
6 1979, and shall be evidenced by coupons attached to said bonds.

7 SECTION 4. That the Bond Form in Section 6, Paragraph 4 is hereby
8 amended to be and read as follows:

9 The Principal of and interest on this bond and all other bonds of
10 said issue, certain Waterworks Revenue Bonds of 1967, now outstanding in the
11 principal amount of Two Million ^{Seven} ~~Eight~~ ^{Sixty} ~~Forty~~ Five Thousand Dollars
12 (~~\$2,045,000~~) issued under date of November 1, 1967, pursuant to General
13 Ordinance No. G-95-67, as amended by General Ordinances No. G-104-67 and
14 G-110-67, bearing interest at the rate of five per cent (5%) per annum, and
15 maturing over a period ending on January 1, 2000, certain Waterworks Revenue
16 Bonds of 1968, (now outstanding in the principal amount of ^{Two} ~~Three~~ Million ^{nine Hundred}
17 ~~Forty~~ ^{Sixty} Five Thousand Dollars (~~\$3,045,000~~), issued under date of December 1,
18 1968, pursuant to General Ordinance No. G-29-68, bearing interest at the rate
19 of five and one-half per cent (5-1/2%) and five and forty hundredths per cent
20 (5.40%) per annum, depending on the maturities, and maturing over a period
21 ending on January 1, 2000, all ranking on a parity herewith, and any bonds
22 hereafter issued ranking on a parity therewith, are equally and ratably secured
23 by and constitute a charge upon twenty-nine per cent (29%) of the gross
24 income and revenues of the municipally owned waterworks of the City, as the
25 same now exists or may hereafter be improved or extended, which percentage
26 of such income and revenues is to be deposited in a special account designated
27 as the "Bond and Interest Redemption Account." The City shall not be
28 obligated to pay said bonds or the interest thereon except from said special
29 fund, and neither this bond nor the issue of which it is a part shall in any
30 respect constitute a corporate indebtedness of the City within the provision
31 and limitation of the constitution of the State of Indiana.

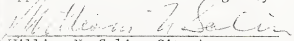
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SECTION 5. That all other Sections of G-26-78 remain in full force and effect as originally passed.

SECTION 6. That this Ordinance shall be effective upon passage and approval by the Mayor.


Councilman

Approved as to form and legality:


William N. Salin, City Attorney

